

### **REMARKS**

Claims 1-25 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 1-4, 6-7, 9 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zumeris (U.S. Pat. No. 5,696,421) in view of Vishnevsky (U.S. Pat. No. 4,453,103) and combined with Miyazawa (WO 38309). This rejection is respectfully traversed.

The office action states that Figures 8 and 9 teach most aspects of the claimed invention. Applicant respectfully submits that amended claims 1 and 23 are clearly distinguished from the embodiment shown in Figs. 8 and 9 of the Zumeris reference (U.S. Pat. No. 5,696,421) by at least in the following points.

Zumeris discloses a multiaxis rotation device for rotating a curved element about two orthogonal axes. The multiaxis rotation device requires a plurality of rotation units for rotating the curved element. In the embodiments, four rotation units are provided for this purpose. The rotation unit shown in Figs. 8 and 9 is one of such rotation units. In contrast, in the claimed invention, only one driving unit (vibrating element) is required for rotating the driven element. Therefore, the Zumeris device is essentially different than the claimed device.

Further, one of the rotation units of Zumeris shown in Figs. 8 and 9 has two vibrating elements (motors) 109 while the claimed invention requires a single vibrating

element (a vibrating element). Also, in Zumeris, the two vibrating elements (motors) 109 respectively abut on the inner surface of the frame 102 (inner race 102). As such, Zumeris has two abutting points. In contrast, the claimed invention requires only a single abutting point.

The office action acknowledges that some ambiguity exists in Zumeris. Assuming solely for the sake of argument that the support (frame) 115 of Zumeris corresponds to the driven element of the claimed invention and the support (member) 114 corresponds to the stationary frame of the claimed invention, the support 114 does not rotatably support the support 115 about a rotation axis as required in amended claims 1 and 23. Further, Applicant respectfully submits that in Zumeris an object to be rotated by the rotation unit is the spherical element 10, which is completely different from the driven element of the claimed invention which is provided with the stationary contacted portion and is rotatably supported by the stationary frame. Again assuming solely for the sake of argument that the spherical element 10 can be considered to correspond to the driven element of the claimed invention, Zumeris fails to teach that the vibrating element is fixedly provided on the frame so that the extension and contraction direction of the vibrating element is substantially perpendicular to the rotation axis of the driven element as required by amended claims 1 and 23.

For at least the above stated reasons Applicant respectfully submits that Zumeris is not relevant to the present invention as defined in amended claims 1 and 23.

Further, neither Vishnevsky et al. nor Miyazawa teach or suggest the features of amended claims 1 and 23 discussed above. Therefore, Applicant submits that amended claims 1 and 23 are not rendered obvious by the combination of Zumeris,

Vishnevsky et al. and Miyazawa. Claims 2-4, 6-7 and 9 depend from claim 1 and should be allowable for at least the same reasons as set forth above.

#### **ALLOWABLE SUBJECT MATTER**

Applicant acknowledges with thanks the allowance of Claims 10-22 and 24-25.

The office action states that claims 5 and 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant elects to defer rewriting these claims until after consideration of the foregoing arguments. A continuing indication of the allowability of these claims is respectfully requested.

#### **CONCLUSION**

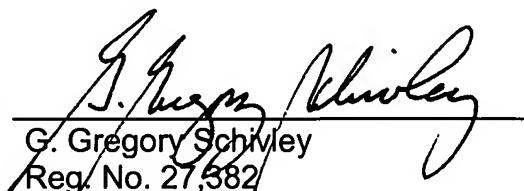
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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